



901 East Byrd Street, Suite 1650
Richmond, VA 23219
Phone: 804.649.8200
Fax: 804.649.1762

Eden Darrell
Direct: 804.819.1119
Email: eden.darrell@bowmanandbrooke.com

November 3, 2021

VIA CM/ECF

Honorable Matthew W. Brann
U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
U.S. Courthouse and Federal Office Building
240 West Third Street
Suite 218
Williamsport, PA 17701

Re: Leone, et al. v. Riddell, Inc., et al.
Case No. 4:21-CV-00800

Dear Judge Brann:

Pursuant to your June 15, 2021 Case Management Order and chamber rules, defendant Riddell¹ files this letter to alert the Court to a discovery dispute with plaintiffs. To date, plaintiffs have not responded to Riddell's initial written discovery requests served more than four months ago.

On June 16, 2021, Riddell served its first sets of interrogatories and requests for production on plaintiffs (one set to plaintiff Caleb Leone and one set to Danielle and Jacob Leone). Since that date, Riddell has agreed to plaintiffs' two requests for an extension of time to respond to the discovery. The last extension expired on August 30, 2021, more than two months ago, and plaintiffs sought no further extension.

Since the expiration of the last extension, counsel for Riddell has emailed plaintiffs' counsel multiple times requesting responses or a date for estimated responses. Despite repeated requests, plaintiffs have failed to provide discovery responses and have failed to provide a date by which they will respond.² A request to meet and confer by telephone on the issue was declined.

¹ "Riddell" refers collectively to defendants Riddell, Inc. BRG Sports, Inc., Riddell Sports Group, Inc., and All American Sports Corporation.

² Plaintiffs did provide authorizations for some medical providers, but Riddell cannot even determine what or how many additional authorizations it may need without plaintiffs' responses to written discovery.

Honorable Matthew W. Brann

November 3, 2021

Page 2

At the Court's earliest convenience, Riddell requests a conference call with the Court and plaintiffs' counsel to address this issue.

Sincerely,

BOWMAN AND BROOKE LLP

A handwritten signature in black ink, appearing to read "Eden Darrell", written in a cursive style.

Eden Darrell (*admitted pro hac vice*)

cc: Larry E. Coben, Esq.
Jo Ann Niemi, Esq.
Marion K. Munley, Esq.
Ciara L. DeNaples, Esq.
Benjamin A. Nicolosi, Esq.

Honorable Matthew W. Brann
November 3, 2021
Page 3

CERTIFICATE OF SERVICE

I hereby certify that this document was electronically filed and served via ECF on November 3, 2021, on all counsel registered to receive service via the Court's ECF system.



Eden M. Darrell (*Pro Hac Vice*)
BOWMAN AND BROOKE LLP
901 East Byrd Street, Suite 1650
Richmond, VA 23219
Telephone: (804) 649-8200
Facsimile: (804) 649-1762
eden.darrell@bowmanandbrooke.com

Benjamin A. Nicolosi, Jr., Esq.
MARSHALL, DENNEHEY, WARNER, COLEMAN
& COGGIN, P.C.
Atty. I.D. 69551
P.O. Box 3118
Scranton, PA 18505
Telephone: (570) 496-4606
Facsimile: (570) 496-0567
BANicolosi@MDWCG.com

Counsel for Defendants